

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Mahmoud KHALIL,

Petitioner,

v.

Donald J. TRUMP, in his official capacity as President of the United States; William P. JOYCE, in his official capacity as Acting Field Office Director of New York, Immigration and Customs Enforcement; Caleb VITELLO, Acting Director, U.S. Immigration and Customs Enforcement; Kristi NOEM, in her official capacity as Secretary of the United States Department of Homeland Security; Marco RUBIO, in his official capacity as Secretary of State; and Pamela BONDI, in her official capacity as Attorney General, U.S. Department of Justice,

Respondents.

Case No. 25-cv-01935


DECLARATION OF KATHERINE KIM

I, Katherine Kim, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. My name is Katherine Kim. I am a licensed attorney in good standing in the state of New York.
2. I am the Deputy Director of the Immigration Practice at The Bronx Defenders.
3. Part of my role is to manage our office's participation in the New York Immigrant Family Unity Project ("NYIFUP").
4. Through NYIFUP, our attorneys represent individuals detained by the ICE New York Field Office who are placed in removal proceedings.
5. Since 2020, a class action order has been in place concerning individuals arrested and detained by the ICE New York Field Office who are processed for removal proceedings and who have not had an initial hearing before an immigration judge. *See Vazquez Perez v. Decker*, 2020 WL 7028637 (S.D.N.Y. Nov. 30, 2020).

6. Per that order, any individual that the ICE New York Field Office arrests and detains under 8 U.S.C. § 1226 for removal proceedings and who has not been provided an initial hearing before an immigration judge must receive an initial master calendar hearing within 10 days of their arrest by ICE. *Vazquez Perez v. Decker*, 2020 WL 7028637, at * 18 (S.D.N.Y. Nov. 30, 2020).
7. Through NYIFUP, our office regularly represents individuals arrested by ICE and detained at the Orange County Jail in Goshen, NY. Typically, individuals detained at the Orange County Jail have their removal proceedings venued at the Varick Street Immigration Court in New York City.
8. NYIFUP practitioners regularly monitor the detained dockets at the Varick Street Immigration Court and receive referrals regarding people detained at the Orange County Jail.
9. I am aware of ten individuals detained at the Orange County Jail who have initial master calendar hearings scheduled for between March 17, 2025 and March 20, 2025 at the Varick Street Immigration Court.
10. This would indicate that those ten individuals were most likely arrested by the ICE New York Field Office between March 7, 2025 and March 14, 2025 and detained at the Orange County Jail since then.
11. I hereby affirm that the above statements are true and correct to the best of my knowledge.

Executed on March 17, 2025
Bronx, New York


Katherine Kim
Deputy Director, Immigration Practice
The Bronx Defenders